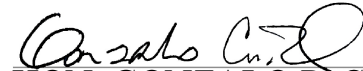




1 Sams v. Beech Aircraft Corp., 625 F.2d 273, 277 (9th Cir. 1980). The Rule allows a  
2 plaintiff to dismiss an action without prejudice as long as the defendant will not be  
3 prejudiced or unfairly affected by the dismissal. Stevedoring Servs. of America v.  
4 Armilla Intern'l B.V., 889 F.2d 919, 921 (9th Cir. 1989). After a review of the case,  
5 and the pending motion to dismiss filed by Defendant, the Court concludes that  
6 Defendant will not be prejudiced by the dismissal. Thus, the Court GRANTS  
7 Plaintiffs' motion to dismiss pursuant to Federal Rule of Civil Procedure 41(a)(2). As  
8 such, the Court DENIES Defendant's motion to dismiss as moot. The Clerk of Court  
9 is directed to close the case.

10 IT IS SO ORDERED.

11  
12 DATED: November 1, 2016

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14 HON. GONZALO P. CURIEL  
15 United States District Judge  
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